

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH J. UPCHURCH,

Plaintiff,

v.

INTERNATIONAL UNION OF
PAINTERS AND ALLIED TRADES
INDUSTRY PENSION PLAN, et al.,

Defendants.

No. 2:25-cv-1918-DC-AC PS

ORDER

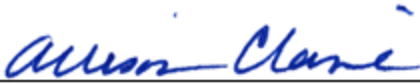
On October 27, 2025, defendants filed motions to dismiss set to be heard on December 3, 2025. ECF Nos. 15, 18. The parties stipulated to continue the hearing date to December 17, 2025, because plaintiff is unavailable on December 3, and the court approved this stipulation. ECF No. 21. Pursuant to Local Rule 230(c), an opposition or statement of non-opposition to a motion is due not less than 14 days after a motion is filed. In this case, the opposition was due November 10, 2025. Plaintiff did not file an opposition or statement of non-opposition.

Good cause appearing, plaintiff is ORDERED that plaintiff shall show cause, in writing, within 14 days, why his failure to respond to the pending motion should not result in a recommendation that this case be dismissed for failure to prosecute. The filing of an opposition or statement of non-opposition within this timeframe will serve as cause and will discharge this

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1 order. If plaintiff fails to respond, the hearing on the motions will be vacated and the court will
2 recommend dismissal of this case pursuant to Local Civil Rule 110.

3 DATED: November 12, 2025

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5 ALLISON CLAIRE
6 UNITED STATES MAGISTRATE JUDGE
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